

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks.

In this Amendment no claims are amended or canceled, and claims 33-38 are added. As a result, claims 1-38 are now pending in the application. Support for the newly added claims can be found throughout the disclosure, for example, at paragraphs [0018] and [0019] of the specification.

The non-final Office Action of November 28, 2007 includes a rejection of claims 1-32 under 35 U.S.C. §103(a) in view of U.S. Patent 6,631,523 (Matthews) and further in view of Published U.S. Patent Application 2005/0216936 (Knudson).

§103 Rejection in view of Matthews / Knudson

The §103 rejection of claims 1-32 in view of the Matthews / Knudson hypothetical combination is respectfully traversed for at least the following reasons.

The present invention involves the display of programming information for transitory broadcast events on an electronic program guides (EPG). Examples of such transitory broadcast events include press conferences, space vehicle launches, governmental hearings, or the like, which are often broadcast live at a predetermined time. Conventional EPGs are commonly used to display time and channel information for upcoming television programs—but only for

regularly scheduled programs on a predefined set of channels—not for transitory broadcast events. Conventional EPGs do not display program information for single, transitory broadcast events, unless such events are being aired on one of the predefined set of channels in the EPG. A transitory event may be a “scheduled live broadcast event” as recited in claims 8, 16 and 17.

Various embodiments of the present invention overcome this drawback.

The Matthews patent involves an interactive entertainment system with hyperlinks to target resources. In particular, Matthews pertains to a system that integrates hyperlinks into an EPG display. Viewers of television programming, according to Matthews, may find the embedded hyperlinks useful for retrieving supplemental information, as explained in the following passage of Matthews:

When a viewer activates a hyperlink from the EPG UI, the user interface unit launches the browser to activate the target resource specified by the hyperlink. The data retrieved from the target resource is then displayed on the display unit.

By integrating the hyperlinks within the EPG UI, the viewer can readily identify supplemental information to the programs and access that information directly from the EPG. The viewer no longer needs to remember that there may be a Web site associated with a particular program or channel, nor is the viewer relegated to surfing the Internet from a separate machine to find any related content.¹

It is clear from this passage, and from the remainder of the Matthews document, that the hyperlinks embedded in Matthews' EPG do not lead to any sort of “events.” Instead, the hyperlinks reference Internet URLs for retrieving supplemental information for a program of interest. The Knudson document involves a system for placing advertisement banners on an

¹ Matthews, col. 4, lines 53-60.

interactive program guide screen (e.g., an EPG). Hence, neither Matthews nor the secondarily cited Knudson document disclose “transitory broadcast event” as recited in the claims.

It is noted that independent claim 17 recites “a scheduled live broadcast event.” Dependent claims 8 and 16 similarly recite “wherein said transitory broadcast event refers to a scheduled live broadcast event.” The Matthews and Knudson documents—which do not disclose or suggest “transitory broadcast events” as discussed above—do not disclose or suggest a “scheduled live broadcast event” as recited in independent claim 17, and dependent claims 8 and 16. **In the event the pending rejection is maintained, it is respectfully requested that the next paper explain how either Matthews or Knudson is being construed to teach either “transitory broadcast events” (claims 1 and 9) or “scheduled live broadcast event” (claims 8, 16 and 17).**

Accordingly, it is respectfully submitted that Matthews and Knudson, either taken singly or as a hypothetical combination, do not teach the features of the claimed invention. Therefore, withdrawal of the rejection is earnestly requested.

Newly Added Claim

Newly added dependent claim 33 recites the “predetermined number of established program channels [being] associated with a first source of content selected from a group consisting of cable television content, satellite television content, and airwave broadcast television content, [and] the temporary channel being associated with a second source of content

different from the first source of content.” Newly added dependent claim 34 further specifies that “the second source of content is the Internet.” New claims 35-38 recite similar features. The Matthews patent and the Knudson published patent application both pertain to conventional sources of television programming. It is respectfully submitted that the prior art, including Matthews and Knudson, either taken singly or as a hypothetical combination, do not teach or suggest the features of the newly added claims.

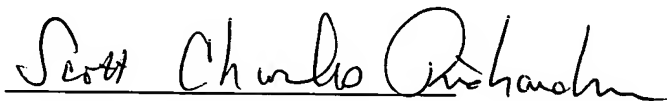
Deposit Account Authorization / Provisional Time Extension Petition

It is believed that the Fee Transmittal attends to the necessary claim fees, and no extension of time is needed for this filing. However, to the extent necessary, a provisional petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571)970-6835 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



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Date: February 22, 2008